IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF GEORGIA ATHENS DIVISION

MERIAL LIMITED and MERIAL SAS,

Plaintiffs,

V.

Case Number 3:11-CV-157 (CDL)

VELCERA, INC. and FIDOPHARM, INC.,

Defendants,

and

VELCERA, INC. and FIDOPHARM, INC.,

Counterclaim-Plaintiffs,

V.

MERIAL LIMITED and MERIAL SAS,

Counterclaim-Defendants.

JOINT MOTION FOR STAY PENDING SETTLEMENT

Plaintiffs-Counterclaim Defendants Merial Limited and Merial SAS ("Merial") and Defendants-Counterclaim Plaintiffs Velcera, Inc. and FidoPharm, Inc. ("Velcera") hereby notify the Court that they have executed a settlement term sheet, and respectfully request that the Court stay this case for 14 days to allow Merial and Velcera to negotiate and execute settlement documents.

Dated: August 10, 2012

Judy Jarecki-Black, Ph.D. (judy.jarecki@merial.com)
Ga. Bar No. 801698
MERIAL LIMITED
3239 Satellite Blvd.
Duluth, GA 30096-4640
Telephone: 678.638.3805

678.638.3350

Facsimile:

Frank G. Smith, III, Esq. (frank.smith@alston.com) Ga. Bar No. 657550 Jason D. Rosenberg, Esq. (jason.rosenberg@alston.com) Ga. Bar No. 510855 Matthew W. Howell, Esq. (matthew.howell@alston.com) Ga. Bar No. 607080 Nadva M. Sand, Esq. (nadya.sand@alston.com) Ga. Bar. No. 156051 **ALSTON & BIRD LLP** One Atlantic Center 1201 West Peachtree Street Atlanta, Georgia 30309-3424 Telephone: 404.881.7000 Facsimile: 404.881.7777

Respectfully submitted,

/s/ J. Patrick Elsevier, Ph.D.
J. Patrick Elsevier, Ph.D.
Ga. Bar No. 246694
(jpelsevier@jonesday.com)
JONES DAY
12265 El Camino Real
Suite 200
San Diego, CA 92130-4096
Telephone: 858.314.1161
Facsimile: 858.314.1150

Edward D. Tolley, Esq.
(etolley@mindspring.com)
Ga. Bar No. 714300
COOK NOELL TOLLEY & BATES LLP
304 East Washington Street
P.O. Box 1927
Athens, GA 30603-1927
Telephone: 706.549.6111
Facsimile: 706.548.0956

Counsel for Plaintiffs Merial Limited and Merial SAS

/s/ Michael S. French, Esq.

WARGO & FRENCH LLP

Joseph D. Wargo & French Georgia Bar No. 355045 (jwargo@wargofrench.com) Michael S. French, Esq. Georgia Bar No. 276680 mfrench@wargofrench.com Michael Wolak III Georgia Bar No. 773197 999 Peachtree Street, NE 26th Floor Atlanta, Georgia 30309 (404) 853-1500

DEBEVOISE & PLIMPTON LLP

Bruce P. Keller*
(bpkeller@debevoise.com)
David H. Berstein*
(dhbernstein@debevoise.com)
919 Third Avenue
New York, New York 10022
Tel: (212) 909-6000
Fax: (212) 521-7696

PAGE, SCRANTOM, SPROUSE, TUCKER & FORD, P.C.

William L. Tucker Ga. Bar No.: 718050 James C. Clark, Jr. Ga. Bar No.: 127145 Thomas F. Gristina Ga. Bar No.: 452454 1111 Bay Avenue, Third Floor Columbus, Georgia 31901 (706) 324-0251

Counsel for Velcera, Inc. and FidoPharm, Inc.

^{*} Admitted pro hac vice

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF GEORGIA ATHENS DIVISION

MERIAL LIMITED and MERIAL SAS,

Plaintiffs,

v.

Case Number 3:11-CV-157 (CDL)

VELCERA, INC. and FIDOPHARM, INC.,

Defendants,

and

VELCERA, INC. and FIDOPHARM, INC.,

Counterclaim-Plaintiffs,

V.

MERIAL LIMITED and MERIAL SAS

Counterclaim-Defendants.

CERTIFICATE OF SERVICE

I hereby certify that I have this date filed the foregoing JOINT MOTION FOR STAY PENDING SETTLEMENT, via the Court's CM/ECF system, which will automatically give notice to all counsel of record.

This 10th day of August, 2012.

/s/ J. Patrick Elsevier, Ph.D. J. Patrick Elsevier, Ph.D.